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UNITED STATES APPELLATE COURT
NINTH CIRCUIT OF THE UNITED STATES OF AMERICA

STATE OF WASHINGTON and STATE OF MINNESOTA,

Appellants,

v.

DONALD TRUMP, in his official capacity as President of the United States; US DEPARTMENT OF HOMELAND SECURITY; JOHN F. KELLEY, in his official capacity as Secretary of the Department of Homeland Security; TOM SHANNON, in his official capacity as Acting Secretary of State; and the UNITED STATES OF AMERICA,

Appellants.

CIVIL ACTION NO. 2:17-cv-00141-JLR

FIRST AMENDED COMPLAINT FOR DECLATORY AND INJUNCTIVE RELIEF

PLAINTIFF – INTERVENOR DAVID GOLDEN'S
MOTION TO INTERVENE

David G. respectfully moves pursuant to Federal Rule of Civil Procedure 24 to intervene as plaintiff in this action. Intervention is warranted as a right because of the United States' interests in enforcing 18 US § 1964 (RICO). In the alternative, G. should be granted leave to intervene because: (1) G.'s claims against parties Robert W. Ferguson and Jay R. Inslee, et al., share with this action common questions of law and fact; and (2) this action involves interpretation of the law on behalf of the State of

Washington, which both Attorney General (ATG) Robert W. Ferguson and the Attorney General's (ATG) Office have been charged with.

MEMORANDUM OF LAW IN SUPPORT OF G.'S MOTION TO INTERVENE

G. respectfully submits this Memorandum of Law[i] in support of this Motion to Intervene in this action against appellants State of Washington and State of Minnesota. G. moves pursuant to Federal Rule of Civil Procedure 24 to intervene as of right, or alternatively, by permission, to assert claims against appellants under the Civil Rights Act of 1964 (42 U.S.C. Chapter 21 Subchapters I, II, and VI); the Racketeering Influenced and Corrupt Organizations Act (RICO, 18 U.S.C. §1964); and the Treason, Sedition, and Subversive Activities Act (18 U.S.C. §2382).

PRELIMINARY STATEMENT

G., a former employee of Washington State, who while serving in this capacity, was charged with protecting the safety and welfare of every single person travelling upon the highways in Washington State (resident, citizen, or otherwise), alleges that appellants Attorney General Robert W. Ferguson and Attorney General's Office (ATG) of Washington, did conspire against him and the citizens of Washington State. Accordingly, G. filed a plea for damages in the Superior Ct. of Spokane County on 12/14/16, see *Golden v. WSDOT, et al No. 16-02-04773-9*.

FACTUAL BACKGROUND

- On 10/4/16, G. filed a $16 billion tort claim against the State of Washington for tax fraud. This claim was denied by ATG.
- On 10/31/16, G. filed an amended tort claim against the State of Washington for tax fraud with proof of malice. This claim was denied by ATG.
- On 11/14/16, G. filed an amended $70 billion tort claim against the State of Washington for tax fraud. This claim was denied by ATG.
- On 12/14/16, G. filed a motion in the Superior Ct. of Spokane County against WSDOT, et al. Included as defendants were Robert W. Ferguson, Jay R. Inslee, The Democratic Party, US Department of

Labor (led by Tom Perez), Christine Gregoire, and Barack Obama. See *Golden v. WSDOT, et al. No. 16-02-04773-9*.

- On or about 1/30/17, ATG Robert W. Ferguson filed a Temporary Restraining Order (TRO) in case *State of WA, et al. v. Donald Trump, et al. No. 2:17-cv-00141-JLR*.
- On 2/3/17, Hon. James Robart issued decision in case *State of WA, et al. v. Donald Trump, et al. No. 2:17-cv-00141-JLR*.
- Despite awareness of G.'s case, media has chosen to aggrandize case *State of WA, et al. v. Trump, et al.*, while simultaneously ignoring G.'s case, as being un-"newz"-worthy.
- G. was born at Somers Point, NJ on March 20th, 1974. G. is a citizen of the United States of America and entitled to all rights thereof.
- Microsoft, Expedia, and Amazon (aka Challenge Seattle) are known co-conspirators of defendant Gregoire (see *Golden v. WSDOT, et al. No 16-02-04773-9)*.

ARGUMENT

I. G. Should Be Permitted to Intervene as of Right.

Federal Rule of Civil Procedure 24(a)(1) provides that a court must permit intervention by anyone: "who is given unconditional right to intervene by a federal statute." G. claims right to intervene under 42 U.S.C. Chapter 21 Subchapters I, II, and VI; 18 U.S.C § 1964; and 18 U.S.C. § 2382.

Furthermore, Federal Rule of Civil Procedure 24(a)(2) provides that a court must permit intervention on timely application by anyone: (1) who "claims an interest relating to the property or transaction that is the subject of the action." And (2) whose interest may be "impair(ed) or impede(d)" by disposition of the action., "unless existing parties adequately represent that interest." This rule is "broadly construed in favor of potential interventors," who must be permitted to intervene if "(1) the application was timely filed; (2) the applicant possesses a substantial legal interest in the case; (3) the applicant's ability to protect its interest will be impaired without intervention; and (4) the existing parties will not adequately represent the applicant's interest." *Grutter v. Bollinger*, 188 F. 3d 394, 397-98 (6th Cir. 1999). G. meets each of these requirements for intervention as of right.

A. G.'s Motion is Timely.

The timeliness of an application for intervention is evaluated "in the context of all relevant circumstance," including:

> (1) the point to which the suit has progressed; (2) the purpose for which intervention is sought; (3)the length of time preceding the application during which the proposed intervenors knew or should have known of their interest in the case; (4) the prejudice to the original parties due to the proposed intervenors' failure to promptly intervene after they knew or reasonably should have known of their interest in the case; and (5) the existence of unusual circumstances militating against or in favor of intervention.

Jensen v. City of Cincinatti, 904 F.2d 336,340 (6th Cir 1990); United States v. City of Detroit, 712 F. 3d 925, 930-31 (6th Cir 2013) (same).

Here, though decision has been issued in the District Court of Western Washington, this decision was made only without knowledge of G.'s complaint. And though G. is required to provide (under 18 U.S.C. § 2382) intervention in this matter, he vainly hoped that either "newz" media or Hon. James Triplett would do so while this case was still in the District Court. After all, this is only G.'s second motion filed. This did not happen.

B. G. Has a Significant Interest In the Subject Matter of this Case.

G. has significant interest in this case as he is curious how people who are not citizens of the United States of America are entitled to non-solicited representation by ATG while G. is entitled to none. See 42 U.S.C. Chapter 21 Subchapters I, II, and VI.

C. Intervention in this Case is Necessary to Protect G.'s Interests

Under the third intervention prong, "a would-be intervenor must show only that impairment of its substantial legal interest is possible if intervention is denied." While G. has been denied media coverage for his 2016 auditor/governor campaign, and corrupt media (aka "fake newz") has chosen to disregard G.'s own allegations of public corruption (see *Golden v. WSDOT, et al. No. 16-02-04773-9*) as being un-"newz"- worthy, ATG Robert W. Ferguson and "Democrats" have been hailed as civil rights champions. This bias only serves to quash G.'s interests while furthering the interests of Robert W. Ferguson and ATG.

D. The Existing Parties Cannot Protect the Interests of G.

As G.'s own interests often coincide with the safety and welfare of the citizens of the United States, and Robert W. Ferguson has acted repeatedly against G.'s interests, G. has obligation to intervene under 18 U.S.C. § 2382.

II. Alternatively, G. Should Be Allowed to Intervene By Permission

G. may also be granted leave to intervene by permission. Rule 24(b)(1) permits intervention on timely motion by anyone who: (A)is given a conditional right to intervene by a federal statute; or (B) has a claim or defense that shares with the main action a common question of law or fact. G. satisfies both of these requirements.

CONCLUSION

For the foregoing reasons, G. respectfully requests that the Court grant G.'s Motion to Intervene.

Dated: February 5, 2017

Respectfully submitted,

David Golden

Washington State Professional Engineer #39855

CERTIFICATE OF SERVICE

I, David A. Golden, certify that pursuant to L.R. 5.2 that I attempted to file the foregoing motion at the clerk's office, located at 1000 S.W. Third Ave., Portland, OR 97204 on 2/6/17 but was unable to do so. Furthermore, I do certify that I attempted to use the Electronic Filing System established for the Ninth Circuit by the appellate court, but was unable to do so.

Alternatively, I was given the address of all counsel named in the complaint and have emailed them a true copy of this motion.

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[i] As point in fact, G. admits that he blatantly plagiarized motion of United States right to Intervene in case *Aleeha Dudley v. Miami University, et al.* 1.14-cv-038 authored by William F. Lynch, due to time constraints.